

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MICHELLE LOSCALZO,

Plaintiff,

-against-

NEW ROC MOTORCYCLES, LLC,

Defendant.
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07 Civ. 3946 (CLB)

NOTICE OF MOTION

FILED VIA ECF

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law and all other papers and proceedings had herein, plaintiff Michelle Loscalzo will move this Court, before the Honorable Charles L. Brieant, at the United States Courthouse, 300 Quarropas Street White Plains, New York, on a date to be determined by the Court, for an Order granting plaintiff's motion to strike, or in the alternative, for leave to amend her opposition to defendant's motion for partial summary judgment, and for such other and further relief as this Court may deem just and proper.

Dated: White Plains, New York
January 29, 2008

BERNBACH LAW FIRM PLLC

By: s/ Jason Bernbach
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Attorneys for Plaintiff

TO: Putney, Twombly, Hall & Hirson LLP
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Attorneys for Defendant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of Plaintiff's Notice of Motion was served by Federal Express on Putney, Twombly, Hall & Hirson, counsel for defendant, 521 Fifth Avenue, New York, New York 10175, on the 29th day of January 2008.

s/ Jason Bernbach
Jason Bernbach (JLB-3392)